

Docket No.: PF-0595 USN

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addressed to: Commissioner for Patents, Attn: Box PCT,  
Washington, D.C. 20231 on October 19, 2001

By: Printed Name: Nancy L. Glynn

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tang et al.

Title: HUMAN CHAPERONE PROTEINS

Serial No.: 09/787,678

Filing Date: To Be Assigned

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Box PCT  
Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. § 371

Sir:

In response to the "Notice to File Missing Requirements" mailed by the United States Patent and Trademark Office on April 19, 2001. The period of time for response has been extended until October 19, 2001, by the accompanying Petition and fee. Applicants submit the following documents to complete the filing for the above-identified patent application:

1. Return postcard;
2. Copy of Notification of Missing Requirements Under 35 U.S.C. § 371 dated April 19, 2001, (1 pg.);
3. Executed Declaration and Power of Attorney for United States Patent Application (5 pp.);
4. Declaration Under 37 C.F.R. 1.47(a) (3 pp.);
5. Exhibit A;
6. Petition under 37 C.F.R. § 1.47(a) (2 pp., in duplicate);

7. Request to Transfer (1 pg., in duplicate); and
8. Petition for Extension of Time (4 months) (1 pg., in duplicate.).

Please charge the following fees to Deposit Account No. 09-0108:

Fee for Petition for Extension of Time (4 months) under 37 CFR 1.17(a) \$1,440.00

Fee for Petition under 37 C.F.R. §1.17(h) \$ 130.00

Basic surcharge fee for filing the declaration under 37 CFR 1.492(e) \$ 130.00

Total fees charged to Deposit Account No. 09-0108: \$1,700.00

If the Patent Office determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) **Deposit Account No. 09-0108**.

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

This response is enclosed in **duplicate**.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 19 October 2001

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UNITED STATES PATENT AND TRADEMARK OFFICE

Incyte Inc. Records  
Patent Department  
Record

APR 25 2001

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO. 7/010,010 FIRST NAMED APPLICANT INCYTE GENOMICS, INC. ATTY. DOCKET NO. PF-9591

INCYTE GENOMICS  
3160 PORTER DRIVE  
PALO ALTO CA 94304

5611

INTERNATIONAL APPLICATION NO.

PCT/US99/22027

I.A. FILING DATE

PRIORITY DATE

04/22/99

04/22/99

DATE MAILED:

04/19/01

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.  | <input type="checkbox"/> Indication of Small Entity Status.                         |
| <input checked="" type="checkbox"/> Copy of the international application.  | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventor(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.         |
| <input type="checkbox"/> Copy of Article 19 amendments.   | <input type="checkbox"/> Other:   |
| <input type="checkbox"/> Priority Document.   |   |
| <input type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.     |   |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. |   |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed: ☐ PCT/DO/EO/917☐ Notice of Defective Translation☐ PTO-875☒ PCT/DO/EO/920

Lamont Hunter, Paralegal

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703 305-3686